

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GOVERNMENT EMPLOYEES INSURANCE  
COMPANY, et al.

Plaintiffs,

Docket No.:  
1:20-cv-003495 (FB)(SJB)

-against-

ZAITSEV, et al.,

Defendants.  
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**NOTICE OF PLAINTIFFS’  
MOTION TO EXCLUDE EXPERT TESTIMONY**

**PLEASE TAKE NOTICE** that the Plaintiffs, Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company and GEICO Casualty Co., (collectively, “GEICO”) respectfully move pursuant to Fed. R. Civ. P. 26(a) and Fed. R. Evid. 702 to exclude the testimony and strike the expert report of the rebuttal expert proffered by Defendants Alexandr Zaitsev, M.D., Ridgewood Diagnostic Laboratory, L.L.C., Metropolitan Interventional Medical Services, P.C., Anthony Benevenga, Charles G. Nicola, D.C., Eugene Gorman, M.D., Bogdan Negrea, M.D., Antonio Ciccone, D.O., Stella Amanze, P.A., Frida Isakov, P.A., Lucknie Ovince, P.A., Emily Bakerman, N.P., Melissa Evans, N.P., Mini Matthew, N.P., Angela Pullock, N.P., Linda Santa Maria, N.P., and Rivka Weiss, N.P., James Patrick Murphy, M.D. (“Dr. Murphy”).

**PLEASE TAKE FURTHER NOTICE** that any papers in opposition to this motion shall be served in accordance with Local Civil Rule 6.1(b).

Dated: Uniondale, New York  
December 7, 2023

Respectfully submitted,

RIVKIN RADLER LLP

By: /s/ Steven T. Henesy

Barry I. Levy, Esq.

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**CERTIFICATE OF SERVICE**

I hereby certify that this Notice of Motion and Plaintiffs' Memorandum of Law have been served on all Parties via e-mail.

Dated: December 7, 2023

/s/ Steven T. Henesy

Steven T. Henesy

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